

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Shanda K. Welsh
Debtor(s)

Bankruptcy Case No.: 19-23468-GLT
Issued Per 10/21/2019 Proceeding
Chapter: 13
Docket No.: 26 - 20
Concil. Conf.: March 12, 2020 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 16, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Mar. 12, 2020 at 09:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified plan terms: Claim No. 5 of PA American Water FCU, with payment of \$699.00 per month.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: October 24, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Shanda K. Welsh
 Debtor

Case No. 19-23468-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

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 Total Noticed: 31

Date Rcvd: Oct 24, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 26, 2019.

db
 15116253 +Shanda K. Welsh, 294 Hillcrest Circle, Pittsburgh, PA 15237-2526
 15116254 +Cenlar, P.O. Box 77404, Ewing, NJ 08628-6404
 15129415 Citizens Bank, c/o Firstmark Services, P.O. Box 82522, Lincoln, NE 68501-2522
 15116257 +Citizens Bank N.A., One Citizens Bank Way Mail Stop JCA115, Johnston, RI 02919-1922
 15127399 +Dollar Bank Servicing Center, P.O. Box 555, Pittsburgh, PA 15230-0555
 +Dollar Bank, FSB, c/o Dollar Bank, FSB Collections Dept., 2700 Liberty Ave.,
 Pittsburgh, PA 15222-4700
 15116260 +Home Depot Credit Services, P.O. Box 790328, Saint Louis, MO 63179-0328
 15117571 Klarna, Attn: Klarna Credit, P.O. Box 206487, Dallas, TX 75320-6487
 15116265 +PNC Bank, P.O. Box 3180, Pittsburgh, PA 15230-3180
 15116263 Pennsylvania-American Water FCU, P.O. Box 37603, Philadelphia, PA 19101-0603
 15116264 Peoples, P.O. Box 535323, Pittsburgh, PA 15253-5323
 15116271 +SYW/CBNA, P.O. Box 6217, Sioux Falls, SD 57117-6217
 15116266 +Sears Mastercard, P.O. Box 6275, Sioux Falls, SD 57117-6275
 15116272 The Home Depot/CBNA, P.O. Box 6497, Sioux Falls, SD 57117-6497
 15116273 +U.S. Department of Education/GL, 2401 International, P.O. Box 7859,
 Madison, WI 53707-7859
 15116274 +U.S. Department of Education/GLE, 2401 International, P.O. Box 7859,
 Madison, WI 53707-7859
 15116275 U.S.A.A. Savings Bank, 10750 McDermott Freeway, San Antonio, TX 78288-1600
 15122824 UNITED STATES DEPARTMENT OF EDUCATION, CLAIMS FILING UNIT, PO BOX 8973,
 MADISON, WI 53708-8973

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/Text: kburkley@bernsteinlaw.com Oct 25 2019 03:09:08 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 25 2019 03:28:23
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15117572 +E-mail/Text: backoffice@affirm.com Oct 25 2019 03:09:16 Affirm, 30 Isabella Street,
 Floor 4, Pittsburgh, PA 15212-5862
 15116255 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 25 2019 03:08:01
 Comenity Bank/Kay Jewelers, P.O. Box 182789, Columbus, OH 43218-2789
 15116256 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 25 2019 03:08:02 Comenity Bank/Kay Jewelers,
 P.O. Box 182125, Columbus, OH 43218-2125
 15116259 +E-mail/Text: kburkley@bernsteinlaw.com Oct 25 2019 03:09:08 Duquesne Light,
 411 Seventh Avenue, MD 6-1, Pittsburgh, PA 15219-1942
 15116262 E-mail/Text: paw.fc@verizon.net Oct 25 2019 03:07:51 PA-American Water FCU,
 6050 Library Road, Bethel Park, PA 15102-4026
 15125878 +E-mail/Text: paw.fc@verizon.net Oct 25 2019 03:07:51
 Pennsylvania-American Water Federal Credit Union, 6050 Library Rd.,
 Bethel Park, PA 15102-4026
 15116644 +E-mail/PDF: gecsed@recoverycorp.com Oct 25 2019 03:14:46 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15116267 E-mail/PDF: gecsed@recoverycorp.com Oct 25 2019 03:14:46 Synchrony Bank/At Home,
 P.O. Box 965064, Orlando, FL 32896-5064
 15116268 E-mail/PDF: gecsed@recoverycorp.com Oct 25 2019 03:16:29 Synchrony Bank/Carecredit,
 P.O. Box 965064, Orlando, FL 32896-5064
 15116269 E-mail/PDF: gecsed@recoverycorp.com Oct 25 2019 03:16:30 Synchrony Bank/Sam's Club,
 P.O. Box 965060, Orlando, FL 32896-5060
 15116270 E-mail/PDF: gecsed@recoverycorp.com Oct 25 2019 03:16:29 Synchrony Bank/TJX Rewards,
 P.O. Box 965060, Orlando, FL 32896-5060

TOTAL: 13

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Pingora Loan Servicing, LLC unless in the state of
 15116252 Affirm
 15116258 Douglas Sable
 15116261 Klarna

TOTALS: 4, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 2
Total Noticed: 31

Date Rcvd: Oct 24, 2019

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 26, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 24, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Pingora Loan Servicing, LLC unless in the state of RI, ME, NH, NV or Orleans Parish, LA, then use Federal National Mortgage Association
bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Rodney D. Shepherd on behalf of Debtor Shanda K. Welsh rodsheph@cs.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5